

## PATENT COOPERATION TREATY

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## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P019232WO	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. PCT/GB2004/004922	International filing date (day/month/year) 22.11.2004	Priority date (day/month/year) 21.11.2003	
International Patent Classification (IPC) or national classification and IPC H04M3/42, H04Q7/38			
Applicant INTELLPROP LIMITED et al.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> <i>(sent to the applicant and to the International Bureau)</i> a total of 6 sheets, as follows:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</li> <li><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</li> </ul> <p>b. <input type="checkbox"/> <i>(sent to the International Bureau only)</i> a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Box No. I Basis of the opinion</li> <li><input type="checkbox"/> Box No. II Priority</li> <li><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</li> <li><input type="checkbox"/> Box No. IV Lack of unity of invention</li> <li><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</li> <li><input type="checkbox"/> Box No. VI Certain documents cited</li> <li><input type="checkbox"/> Box No. VII Certain defects in the international application</li> <li><input type="checkbox"/> Box No. VIII Certain observations on the international application</li> </ul>			
Date of submission of the demand 15.09.2005	Date of completion of this report 09.02.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer  Schweitz, M Telephone No. +31 70 340-4471		



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**Box No. I Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
    - international search (under Rules 12.3 and 23.1(b))
    - publication of the international application (under Rule 12.4)
    - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements\*** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

**Description, Pages**

1-26 as originally filed

**Claims, Numbers**

1-44 received on 14.11.2005 with letter of 10.11.2005

**Drawings, Sheets**

1/3-3/3 as originally filed

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3.  The amendments have resulted in the cancellation of:

- the description, pages
- the claims, Nos. 1-20
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to sequence listing (*specify*):

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of these sheets may be marked "superseded."

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**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes:	Claims 8-11, 13, 15, 17-21, 29-32, 34, 36, 38-42
	No:	Claims 1-7, 12, 14, 16, 22-28, 33, 35, 37, 43, 44
Inventive step (IS)	Yes:	Claims
	No:	Claims 1-44

Industrial applicability (IA)	Yes:	Claims 1-44
	No:	Claims

**2. Citations and explanations (Rule 70.7):**

**see separate sheet**

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**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

1 Reference is made to the following documents:

D1 : EP 1 195 975 A (INTELLPROP LIMITED) 10 April 2002

D2 : GB 2 342 536 A (ORANGE PERSONAL COMMUNICATIONS SERVICES  
LIMITED) 12 April 2000

D3: WO 01/08430 A (INTELLPROP LIMITED) 1 February 2001

D4 : EP 1 267 556 A (ALCATEL) 18 December 2002

- 1.1 The documents D3 and D4 were not cited in the international search report. Copies of the documents are appended hereto.
- 2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matters of claims 1, 22, 43 and 44 are not new in the sense of Article 33(2) PCT.
  - 2.1 The document D3 discloses (the references in parentheses applying to this document) all the features of independent claim 1:

a telecommunications apparatus comprising a telephone network, a telephone terminal operable to enable a user to specify dialling information in a form that comprises text (page 2, lines 28-31), means to process the dialling information to identify a connection associated with the text (page 2, lines 22-26), the network being adapted to receive an indialled call from the terminal, to set up the connection associated with the text and to connect the indialled call with the connection associated with the text (page 4, lines 5-7; "Optional call completion

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could be achieved ... by a handset modification which would allow an audio call to be set up in parallel with the requesting SMS message.").

- 2.2 The above cited passage, "Optional call completion...", constitutes an implicit disclosure of a network adaptation to receive an indialled call, to set up the connection associated with the SMS message and to connect the indialled call with the connection associated with the SMS message.
- 2.3 Also document D4 discloses all the features of independent claim 1 (see figure 2 as well as paragraphs 0016 and 0017).
- 2.4 The same reasoning applies, mutatis mutandis, to the subject-matters of the corresponding independent claims 22, 43 and 44, which therefore are also considered not new.

3 Dependent claims 2-21 and 23-42 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see the relevant passages of documents D1 and D2 and any further documents cited in the search report as well as the herein referenced documents D3 and D4.

- 3.1 All features of claims 2-7, 12, 14, 16, 23-28, 33, 35 and 37 are explicitly or implicitly disclosed in document D3. Therefore, the subject-matters of said claims are considered not new (Article 33(2) PCT).
- 3.2 The features of claims 8-11, 13, 17, 20, 21, 29-32, 34, 38, 41 and 42 are considered trivial in their application to the field of telecommunications for a skilled person. Thus, the subject-matters of said claims cannot be considered as involving an inventive step (Article 33(3) PCT).
- 3.3 There appears to be no specific technical problem to which the technical features of claims 19 and 40 relate. As a result, also the subject-matters of claims 19 and 40

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cannot be considered as involving an inventive step (Article 33(3) PCT).

3.4 For claims 15, 18, 36 and 39, see section VIII

**Re Item VIII**

**Certain observations on the international application**

- 1 The application does not meet the requirements of Article 6 PCT, because claims 15, 18, 36 and 39 are not clear.
  - 1.1 In claims 15 and 36 the terms "intelligently", "exceptions", "classes" and "rules" are not clearly defined and it is not possible to determine how the means or processing steps of said claims will achieve the claimed aim of deriving at an alphanumeric string.
  - 1.2 In claims 18 and 39 the meaning of the expression "translate between text dialling information and connections that are personalised..." cannot be established and thus renders the subject-matter of said claims unclear.